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8 *Attorneys for the United States*

9 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF NEVADA

10 In re:

11 MYISHA N. CHAMBERS,

12 Debtor.

Case No.: 2:22-bk-13098-MKN

Chapter 7

13
14 MYISHA N. CHAMBERS,

15 Plaintiff,

16 v.

17 U.S. DEPARTMENT OF EDUCATION;
18 HIGHER EDUCATION LOAN AUTHORITY
OF THE STATE OF MISSOURI (MOHELA),

19 Defendants.

Adv. Proceeding No.: 22-01149-mkn

**UNITED STATES' ANSWER TO
COMPLAINT TO DETERMINE
DISCHARGE OF STUDENT
LOAN**

21
22 The United States, on behalf of its agency, the Department of Education ("United
23 States"), responds to the allegations and numbered paragraphs of Plaintiff's Complaint to
24 Determine Discharge of Student Loan as set forth below.

- 25 1. The United States admits the allegations in paragraph 1.
26 2. The allegations in paragraph 2 state legal conclusions to which no response is
required.

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1 3. The United States admits that it issued a series of education loans to the
2 Plaintiff from 1993 – 2002, including a final consolidation loan in July 2022 in the amount
3 of \$32,946.68 that is the subject of the Complaint.

4 4. The United States lacks sufficient knowledge to admit or deny the allegations
5 in paragraph 4 and therefore denies same.

6 5. The United States lacks sufficient knowledge to admit or deny the allegations
7 in paragraphs 5-13 and therefore denies same.

8 6. The United States admits that Plaintiff received an IDR plan in or around
9 2013 or 2014. The United States lacks sufficient knowledge to admit or deny the remaining
10 allegations in paragraph 14 and therefore denies same.

11 7. The United States lacks sufficient knowledge to admit or deny the allegations
12 in paragraphs 15-16 and therefore denies same.

13 8. The United States admits that Plaintiff is currently enrolled in an Income
14 Based Repayment (IBR) Plan, with a monthly payment of \$0.00 for 18 months. The United
15 States lacks sufficient knowledge to admit or deny the remaining allegations in paragraph 17
16 and therefore denies same.

17 9. The United States lacks sufficient knowledge to admit or deny the allegations
18 in paragraph 18 and therefore denies same.

19 10. The United States admits that the balance of Plaintiff's July 2022
20 consolidation loan is \$32,946.68. The United States lacks sufficient knowledge to admit or
21 deny the remaining allegations in paragraph 18 and therefore denies same.

22 11. The United States admits that Schedule J to Plaintiff's bankruptcy petition
23 states that Chambers has roughly \$1,364 in household/living expenses and income in the
24 amount of approximately \$1,308.33. The United States lacks sufficient knowledge to admit
25 or deny the remaining allegations in paragraph 20 and therefore denies same.

26 12. The United States lacks sufficient knowledge to admit or deny the allegations
27 in paragraphs 21-23 and therefore denies same.
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1 To the extent there are any other allegations in the complaint to which the United
2 States has not expressly admitted or otherwise responded above, the United States denies
3 such allegations.

4 Having responded to all allegations, the United States requests a judgment finding
5 that Plaintiff's indebtedness to the United States is not dischargeable, and for such other relief
6 as the Court deems proper.

7 Respectfully submitted this 12th day of December 2022.

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9 JASON M. FRIERSON
10 United States Attorney

11 /s/ Summer A. Johnson
12 SUMMER A. JOHNSON
13 Assistant United States Attorney

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Certificate of Service

I hereby certify that on December 12, 2022, I caused to be electronically filed and served on registered counsel of record the foregoing United States' Answer to Complaint to Determine Discharge of Student Loan with the Clerk of the Court for the United States Bankruptcy Court for the District of Nevada using the CM/ECF system.

/s/ Summer A. Johnson
SUMMER A. JOHNSON
Assistant United States Attorney